REMARKS

The present application has been reviewed in light of the Office Action dated November 1, 2007. Claims 1, 4-8, 11-15, and 18-21, and 37-39 are presented for examination, of which Claims 1, 8, and 15 are in independent form. Claims 2, 3, 9, 10, 16, 17, and 22-36 were previously canceled. Claims 1, 8, 15, and 37-39 have been amended for reasons that do not pertain to their patentability. Favorable consideration is requested.

The Office Action states that Claims 1, 4-8, 11-15, and 18-21, and 37-39 are rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Patent No. 6,266,693 (Onaga) in view of U.S. Patent No. 6,622,157 (Heddaya et al.) in view of U.S. Patent No. 6,615,207 (Lawrence) in view of U.S. Patent No. 6,452,692 (Yacoub). Applicant respectfully traverses the rejections and submits that independent Claims 1, 8, and 15, together with the claims dependent therefrom, are patentably distinct from the cited references for at least the following reasons.

Claim 1 is directed to an information processing apparatus that is capable of communicating with a plurality of printing devices. The apparatus includes a storage device, detection means, display means, and control means. The storage device stores predetermined objects for the printing devices based on directory information including a tree list. The detection means detects specific objects in the directory information read from the storage device. The specific objects include at least a first specific object corresponding to a first one of the plurality of printing devices and a second specific object corresponding to a second one of the plurality of printing devices. The display means displays, in accordance with the tree list, the specific objects detected by the detection means. The control means functions to permit the display means to display, in accordance with the tree list, the specific objects detected by the

detection means, such that the first specific object is displayed in the tree list with a higher display priority than the second specific object if a number of other information processing apparatuses which exist between the first printing device and the information processing apparatus is smaller than a number of other information processing apparatuses which exist between the second printing device and the information processing apparatus.

A notable feature of Claim 1 is that the control means, in accordance with the tree list, functions to permit the display means to display the specific objects detected by the detection means. If a number of other information processing apparatuses existing between the first printing device and the information processing apparatus is smaller than a number of other information processing apparatuses existing between the second printing device and the information processing apparatus, the display means is controlled to display the first specific object in the tree list with a higher display priority than the second specific object.

Applicant does not dispute the Examiner's interpretation of Onaga in the Office Action.

With respect to Heddaya et al., however, the Examiner states on page 3 of the Office Action that "Heddaya teaches a method such that the first specific object is displayed in preference to the second specific object if a number of other information processing apparatuses which exist between the first peripheral device and said information processing apparatus is smaller than a number of other information processing apparatuses which exist between the second peripheral device and said information processing apparatus (Column 3 lines 65 - Column 4 lines 4)." Applicant notes that Heddaya et al. recites the following at column 3, line 65, to column 4, line 4: "By distributing the work of servicing requests to one or more secondary

server nodes within the network, the work of servicing requests that are intercepted on their way to the primary server node is offloaded from the primary server node. The secondary server nodes are preferably closer to the client nodes (by number of hops and distance) such that response time is faster, and less network traffic is created." It is respectfully submitted that this portion of Heddaya et al. merely teaches that it is preferable for the secondary server nodes to be closer to the client nodes "(by number of hops and distance)." It appears that the Examiner considers that the secondary server node corresponds to the printer of Claim 1, but Applicant respectfully submits that the server node and the printer are completely different from each other. Further, the technical concept of the "number of hops and distance" of Heddaya et al. differs completely from the number of "other information processing apparatuses" existing between the first peripheral device and the client. Heddaya et al. therefore fails to teach or suggest the control means of Claim 1.

With respect to Lawrence, the Examiner states on page 4 of the Office Action that "Lawrence, teaches displaying objects in a tree list based on preference (Column 6 lines 31-45)." It is respectfully submitted, however, that Lawrence merely teaches a database for search queries. As shown in Figs. 2-4, a "view" is changed based on user settings. Lawrence is silent as to the technical concept of the "number of other information processing apparatuses" existing between the first peripheral device and the client. Additionally, the subject matter of Lawrence does not relate to printer network management, so it would not be natural for a person of ordinary skill in the art to combine Lawrence with the other cited references.

With respect to Yacoub, it is respectfully submitted that Yacoub merely teaches giving priority to the closest printer to the user and displaying the closest printer at the top of the

list 746 (shown in Fig. 6). Apparently, Yacoub teaches that the criterion for prioritizing printers on the list is the physical closeness of the printers to the location of the user, as calculated by a Euclidean distance measured using Cartesian coordinates. This, however, neither discloses nor suggests the function of the control means of Claim 1. In contrast, the apparatus of Claim 1 allows the user to select a peripheral device, i.e., a printer, closest to the client apparatus in terms of the network, not physical distance. Nothing has been found in Yacoub that would even suggest prioritizing printers other than by physical distance.

Applicant submits that a combination of Onaga, Heddaya et al., Lawrence, and Yacoub, assuming such combination would even be permissible, would fail to teach or suggest an information processing apparatus that includes "display means, for displaying, in accordance with the tree list, the specific objects detected by said detection means," and "control means, for permitting said display means to display, in accordance with the tree list, the specific objects detected by said detection means, such that the first specific object is displayed in the tree list with a higher display priority than the second specific object if a number of other information processing apparatuses which exist between the first printing device and said information processing apparatus is smaller than a number of other information processing apparatuses which exist between the second printing device and said information processing apparatus," as recited in Claim 1.

Applicant respectfully submits that it is now well established that a claim may not be properly rejected based on hindsight analysis, in which the claim itself is used as a template for picking and choosing from disparate teachings of the prior art. That is, the motivation to combine the disparate teachings of the prior art cannot come from the claimed invention itself.

Accordingly, Applicant submits that Claim 1 is patentable over the cited references and therefore respectfully requests withdrawal of the rejection under 35 U.S.C. § 103(a).

Independent Claims 8 and 15 include features similar to those of Claim 1, discussed above, and are believed to be patentable for at least the reasons discussed above. The other rejected claims in this application depend from one or another of Claims 1, 8, and 15 and therefore are submitted to be patentable for at least the same reasons. Because each dependent claim also is deemed to define an additional aspect of the invention, individual consideration of the patentability of each claim on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable consideration and early passage to issue of the present application.

No petition to extend the time for response to the Office Action is deemed necessary for this Amendment. If, however, such a petition is required to make this Amendment timely filed, then this paper should be considered such a petition and the Commissioner is authorized to charge the requisite petition fee to Deposit Account 50-3939.

CONCLUSION

Applicant's undersigned attorney may be reached in our New York Office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address listed below.

Respectfully submitted,

/Lock See Yu-Jahnes/
Lock See Yu-Jahnes
Attorney for Applicant
Registration No. 38,667

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200

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